IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

Bail Appl..No. 6156 of 2007()

(C.R.NO.61/2007 OF AMARAVILA EXCISE RANGE)

PETITIONER/ACCUSED:

SABU, S/O. VARGHESE,
POTTAVILAKOM VEEDU, 10/608, ANAKKUNNU,AMARAVILA,
KOLLAYIL VILLAGE, NEYYATTINKARA.

BY ADV. SRI.G.SUDHEER

RESPONDENT: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/10/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

R.BASANT, J

B.A.No.6156 of 2007

Dated this the 10th day of October, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 20 litres of arrack on 20.09.2007. He was arrested and continues in custody from that date. The learned Public Prosecutor submits that the petitioner is an accused in two earlier crimes of 2003 and 2007 under the Kerala Abkari Act.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable time to complete the investigation and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 19.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation;

ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays for a period of two months from the date of release of the petitioner and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-